GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1600
ANSWERED ON:25.07.2017
Witness Protection System
Sampath Shri Anirudhan

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government is aware that the absence of a witness protection system is causing rise to unmerited acquittals in the country;

(b) if so, the reasons for delay in putting in place a strong witness protection system in order to ensure justice to victims; and

(c) the corrective steps taken by the Government in this regard ?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (c): National Crime Records Bureau does not maintain any such data. However, Law Commission of India in its 198th Report gave its recommendations on "Witness Identity Protection & Witness Protection Programme". Based on recommendations, the Questionnaire and the Bill was circulated to the State Governments/ Union Territory Administrations for their views. As there was no consensus among the States, the matter was referred to Bureau of Police Research & Development (BPR&D) on 03.11.2016 to examine the matter having regard to the observation of the states and feasibility of an implementable Identity Protection Programme
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and support Law so as to enable Government to take a considered view. 'Police' and 'Public Order' are State subjects under the seventh Schedule to the Constitution of India and therefore, the State Governments are primarily responsible for prevention, detection, registration and investigation of crime and for prosecuting the criminals through the machinery of their law enforcement agencies, as also for protecting the life and property of the citizens including witnesses.

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